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Attorneys for Plaintiff SURFACESUPPLIED INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SURFACESUPPLIED INC., a California
corporation,
Plaintiff,

v.

KIRBY MORGAN DIVE SYSTEMS, INC.,
a California corporation,
Defendant.

) Case No. C 13-0575 MMC

) **(Proposed) ORDER DENYING KIRBY
MORGAN DIVE SYSTEMS, INC.'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENT UNDER SEAL IN
SUPPORT OF MOTION TO STRIKE
COUNTER-DEFENDANT'S
AFFIRMATIVE DEFENSES ETC.**

) Date: December 20, 2013
) Time: 9:00 a.m.
) Courtroom: No. 7, 19th Floor

AND RELATED COUNTERCLAIMS.

Before the Court is defendant's Motion to File Documents Under Seal in Support of Motion to Strike, filed November 12, 2013, wherein defendant seeks leave to file under seal an exhibit consisting of pages from a deposition given by plaintiff's CEO Jason Van der Schyff which testimony, defendant states, is "subject to the Protective Order entered in this case ..." (See Mot. at 2.)

However, the designating party has filed a declaration under Civil L.R. 79-5(d) stating that the documents in question ~~have not been~~ ^{no longer need be} designated as confidential pursuant to the


1 Protective Order.

2 Accordingly, defendant's motion for administrative relief is hereby DENIED.

3 Defendant is hereby DIRECTED to file in the public record, no later than ~~November~~ December
4 9, 2013, the above-referenced exhibit.

5 **IT IS SO ORDERED.**

6
7 Dated: December 5
~~November~~ ___, 2013


MAXINE M. CHESNEY
United States District Judge